

10-05-06

1 for



Docket No. 4803-4003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): BOURKE, Peter Gerard Confirmation No.: 4694  
Group Art Unit: 3617  
Serial No.: 10/549,725 ✓  
Examiner: TBA  
Filed: September 16, 2005  
For: AUXILIARY AGITATOR FOR A FLOTATION DEVICE

**EXPRESS MAIL CERTIFICATE**

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Date of Deposit: **October 4, 2006**

I hereby certify that the following attached paper(s) and/or fee

1. Information Disclosure Statement (1 pg);
2. PTO-Form 1449A (1 pg) and PTO-Form 1449B (1 pg);
3. Copies of 3 non-patent documents as listed on the 1449 forms: WO 01/39872, EP 0754489, and Supplementary Partial European Search Report in EP 04720832; and
4. Return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Signature of person mailing paper(s) and/or fee)

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Receipt date: 10/04/2006

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**INFORMATION DISCLOSURE STATEMENT**

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
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Sir:

Pursuant to Rule 56, applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449.

Copy(ies) of these references:

- ☒ Foreign Patent Applications, Foreign Patents and/or Other Non-Patent Documents are attached (Copies of cited U.S. Patents/Publications are not provided).
- ☐ Were filed in related application U.S. Serial No(s) \_\_\_\_\_, filed \_\_\_\_\_, respectively.
- ☐ This document is being filed within three (3) months of the filing date of the application
- ☐ A check for the requisite fee of \$180 is enclosed.
- ☐ This document is being concurrently filed with the above-identified application
- ☐ This document is being concurrently filed with an Request for Continued Examination (RCE)
- ☒ This document is being filed prior to a first Office Action
- ☐ This document is accompanied by a Search Report/Communication cited in a corresponding PCT or foreign counterpart application.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4803-4003. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: October 4, 2006

By: \_\_\_\_\_

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Attorney Docket:  
4803-4003

Serial No.:  
10/549.725

**Applicant:**  
**BOURKE, Peter Gerard**

Filing Date:  
September 16, 2005

Group Art Unit:  
3617

Examiner Initial		Patent/Publication Number	Publication/Issue Date	Name	Filing Date
	1.	6,109,449	August 29, 2000	Howk et al.	November 4, 1998
	2.	5,326,168	July 5, 1994	Miura	August 9, 1993
	3.	2,651,413	September 8, 1953	A.C. Daman	June 14, 1948
	4.	5,286,107	February 15, 1994	Artusi	June 3, 1991
	5.	2,182,442	December 5, 1939	L.E. Booth	November 11, 1937
	6.	5,947,599	September 7, 1999	Funk	November 25, 1998
	ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.L./				

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T.L/

Examiner Initial		Patent Number	Publication Date	Country	Copy Filed	Translation
	7.	EP 0 754 489 A1	January 1, 1997	EP	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input checked="" type="checkbox"/> N/A
	8.	WO 01/39872 A1	June 7, 201	WO	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input checked="" type="checkbox"/> N/A
	9.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	10.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	11.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A
	12.				<input type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstract <input type="checkbox"/> N/A

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /T/L/

Examiner /Thomas Lithgow/

Date Considered 09/08/2009

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.  
Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to Applicant.

Serial No.:

10/549,725

BOURKE, Peter Gerard

**Group Art Unit:**

September 16, 2005

3617

Examiner  
Initials\*

Cite No.

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Supplementary Partial European Search Report cited in European Application No. EP 04720832, date of Communication: July 6, 2006.

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, either or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is a file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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